

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MAJOR BRANDS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:18-cv-00423 HEA
)	
MAST-JÄGERMEISTER US, INC., <i>et al.</i> ,)	
)	
Defendants.)	

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE CONFIDENTIAL
PRE-TRIAL OPPOSITION FILINGS UNDER SEAL**

Defendants Mast-Jägermeister US, Inc., Southern Glazer's Wine and Spirits, LLC, and Southern Glazer's Wine and Spirits of Missouri, LLC (collectively, "Defendants") hereby respectfully move this Court for an Order granting Defendants' Unopposed Motion for Leave to File Confidential Pre-Trial Opposition Filings Under Seal pursuant to Local Rule 13.05 and the Protective Order in this case (ECF Nos. 106 and 107). Plaintiff Major Brands, Inc. ("Plaintiff"), through its counsel, does not object to this motion for leave to file under seal.

Specifically, Defendants request an order granting leave to file the following documents under seal:

1. Defendants' opposition to Plaintiff's Motion *in Limine* No. 1 regarding evidence of other supplier/distributor relationships and the following exhibits, each of which contains either details of Plaintiff's sales and confidential agreements that Plaintiff has designated confidential;
 - a. Plaintiff's sales and financial data (Defendants' Trial Exhibits A-6, A-15, F-14, J-14, and U-5); and
 - b. Agreements produced by Plaintiff (Defendants' Trial Exhibit M-8);

2. Defendants' opposition to Plaintiff's Motion *in Limine* No. 2 regarding exclusion of industry practices and the following exhibits, each of which contains either confidential agreements that Plaintiff has designated confidential or deposition excerpts designated confidential by Plaintiff;
 - a. Agreements produced by Plaintiff (Defendants' Trial Exhibits M-8 and N-8); and
 - b. Excerpts from the Deposition of Sue McCollum;
3. Defendants' opposition to Plaintiff's Motion *in Limine* No. 3 regarding "good cause" first established and the following exhibits, each of which contains either confidential agreements that Plaintiff has designated confidential or discussion of confidential agreements between the Defendants;
 - a. Agreements produced by Plaintiff (Defendants' Trial Exhibits M-8 and N-8); and
 - b. Excerpts from the Deposition of Sue McCollum;
4. Defendants' opposition to Plaintiff's Motion *in Limine* No. 7 regarding termination of wholesalers in other states and related exhibit, both of which contains discussion of confidential agreements between the Defendants;
 - a. Copy of confidential agreement between Defendants (Defendants' Trial Exhibit F-1);
5. The following exhibit to Defendants' opposition to Plaintiff's Motion *in Limine* No. 8 regarding Defendants' damages expert's reliance on Martin Jones;
 - a. Juli Saitz's Expert Report, which contains discussion and calculations using Plaintiff's sales data and rebutting Alan Cox's expert report, both of which have been designated confidential by Plaintiff.

A redacted copy of the above listed motions will be filed publicly to the public docket. Redacted copies of the referenced exhibits will not be filed because each has either been designated confidential in whole by the designating parties or would be prejudicial to the Defendants if made public before trial. None of the information filed under seal was provided by a non-party.

For the foregoing reasons and the reasons set forth in the sealed Memorandum in Support, Defendants request that this Court grant their Motion for Leave to File Confidential Pre-Trial Filings Under Seal and to keep these documents under seal indefinitely or until they are disclosed at trial.

LR 13.05 Unopposed Certification: Plaintiff Major Brands, Inc., through its counsel, does not object to this motion for leave to file under seal. Therefore, responses and replies to this motion should not be necessary.

Respectfully submitted,

THOMPSON COBURN LLP

By: /s/ Nicholas J. Lamb

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system for service on the following attorneys:

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